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U.S. Department of Labor

Mine Safety and Health Administration
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EFFECTIVE DATE: June 18, 2009

EXPIRATION DATE: 03/31/2011
(Reissue of P06-V-11)

PROGRAM POLICY LETTER NO. P09-V-03

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SUBJECT: Re-Issue P06-V-11 - Family Liaison and Primary Communicator:
Implementation of Section 7 of the Mine Improvement and New
Emergency Response Act of 2006

Scope

This Program Policy Letter (PPL) is intended for miners, miners' family members, miners' representatives, mine operators, independent contractors, Mine Safety and Health Administration personnel and other interested persons.

Purpose

Section 7 of the Mine Improvement and New Emergency Response Act of 2006 (MINER Act) requires the Mine Safety and Health Administration (MSHA) to assign an individual to serve as a Family Liaison (Liaison) between MSHA and the families of victims of mine tragedies involving multiple deaths. MSHA is to be "as responsive as possible to requests from the families of mine accident victims for information relating to mine accidents." In addition, in such accidents, MSHA must "serve as the primary communicator with the operator, miners' families, the press and the public." This PPL sets forth

policy implementing the provisions of Section 7 of the MINER Act. A companion revision to the Emergency Operations Manual will set forth specific guidance to be used in applying this policy during a mine emergency.

Policy

Family Liaison

MSHA will develop a pool of qualified officials who will be prepared to serve as Liaison in the event of a mine accident resulting in multiple fatalities. The persons selected for this pool will have appropriate technical expertise to effectively respond to technical questions as well as skills in crisis/grief management and communication. Similar to that of an accident investigation team member, this assignment as liaison should be the individual's highest priority responsibility from the beginning of the assignment until the investigation is complete.

Upon notification of a possible mine accident where multiple miners are unaccounted for, the appropriate Administrator will promptly assign a qualified agency official to act as Liaison for the purpose of being responsive to the needs of families of mine accident victims by providing clear and accurate information regarding the mine accident. The assigned Liaison will travel to the site as soon as possible and be briefed by the MSHA official in charge of accident activities in order to promptly establish communication with the victims' families. The Liaison will make arrangements to meet with family members for regular briefings and will remain accessible to family members during the emergency. Upon completion of the rescue at the site, the Liaison will remain in contact with families by telephone, cellular phone, email, and conventional mail for the duration of the investigation until the report is delivered.

During any resulting accident investigation the Liaison will continue to be responsive to the needs of the families until the investigation is complete and MSHA issues a final report. The Liaison will continue to interact with the accident investigation team for the purpose of responding to questions from and transferring information to victims' family members. Requests for information from the families will be governed by the Freedom of Information Act and will be expedited to the greatest extent possible.

Primary Communicator

A separate MSHA official (senior MSHA official onsite and/or media specialist) will serve as the primary communicator with the mine operator, miners' representative, media and general public during such mine accidents. The Primary Communicator will collaborate with the Liaison to ensure consistent, timely and accurate information is disseminated to the public and the families. To the greatest extent possible, sensitive information will be shared with the families before being disseminated to the public. Nothing in this policy shall prohibit the mine operator from establishing communication with the families or the public.

Background

On June 15, 2006 the MINER Act became effective. Section 7 of the MINER Act requires that the Secretary establish a policy that-

1. requires the temporary assignment of an individual Department of Labor official to be a liaison between the Department and the families of victims of mine accidents involving multiple deaths;
2. requires the Mine Safety and Health Administration to be as responsive as possible to requests from the families of mine accident victims for information relating to mine accidents;
3. requires that in such accidents, that the Mine Safety and Health Administration shall serve as the primary communicator to operators, miners' families, the press and the public.

Authority

The Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq., as amended by the MINER Act, Pub. L. No. 109-236, June 15, 2006, 120 Stat. 493.

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